

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CIVIL NO. 98-1664 (CCC)
)	CIVIL NO. 98-2344 (CCC)
vs.)	Consolidated Cases
)	
33.92536 ACRES OF LAND, MORE)	
OR LESS, SITUATED IN VEGA BAJA,)	
COMMONWEALTH OF PUERTO RICO,)	
AND JUAN PIZA BLONDET, AND)	
UNKNOWN OWNERS)	
)	
Defendants.)	

PROPOSED JOINT DISCOVERY SCHEDULE

Plaintiff United States of America (“Plaintiff” or the “Government”) and Defendant Juan Piza-Blondet (“Defendant”) hereby respectfully submit this Joint Discovery Schedule for the Court’s consideration and approval, in accordance with this Court’s Minute Order (Dkt. No. 115).

As stated at the August 11, 2005 status conference, the parties jointly propose that the Court re-open discovery for a period of six months to permit both parties to prepare and exchange new appraisal reports for the subject property and conduct additional discovery regarding the issue of whether residential development on the subject property would be reasonably probable within the reasonably near future of the date of taking, December 2, 1998. The parties maintain that such discovery is necessary in light of the following: (1) Defendant did not produce an expert report in compliance with Rule 26(a)(2) by the close of discovery in 1999, and therefore Defendant presently does not have an appraiser who may offer expert testimony at trial; (2) Defendant recently has disclosed new documents pertaining to the legal permissibility of residential development on land adjacent to the subject property; and (3) in light of

Defendant's recently-produced documents, the Government has retained a new appraiser to provide a revised expert appraisal report. Accordingly, the parties jointly propose the following discovery schedule and deadlines:

Exchange of Rule 26(a)(2) Expert Reports	November 1, 2005
Exchange of Rule 26(a)(2) Rebuttal Reports	January 9, 2006
Close of Discovery	February 15, 2006
Court-Ordered Settlement Conference	March 1, 2006
<u>Daubert</u> Motions	April 1, 2006

The parties will continue to work amicably in order to ensure the timely exchange of written discovery and expert reports, the orderly scheduling of depositions, and the efficient execution and completion of this proposed six-month discovery period.

Counsel for Defendant has reviewed this motion, and has authorized undersigned counsel to submit this as a joint motion.

Respectfully submitted this 22nd day of August 2005.

Counsel for Plaintiff United States

/s/ Jeffrey M. Tapick

JEFFREY M. TAPICK
PAUL HARRISON
Attorneys, United States Dep't of Justice
Environment & Natural Resources Division
P.O. Box 561, Ben Franklin Station
Washington, DC 20044
Tel: (202) 305-0297
Fax: (202) 305-0398

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2005, a true and correct copy of the foregoing Joint Discovery Schedule was served via email and by U.S. Mail addressed to:

Maurice V. Piza, Esq.
5500 Prytania Street
New Orleans, LA 70115
maurpil@yahoo.com

David C. Vidrine, Esq.
9061 West Judge Perez Dr.
Chalmette, LA 70043
dcv1234@cox.net

/s/ Jeffrey M. Tapick

JEFFREY M. TAPICK